

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Luthera Ann Smith,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

City of Ely, et al.,

Defendants.

Civ. No. 15-3892 (MJD/LIB)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. This action is **SUMMARILY DISMISSED** under 28 U.S.C. § 1915(e)(2)(B)(ii).
2. Plaintiff Luthera Ann Smith's Application to Proceed in District Court Without Prepaying Fees or Costs, [Docket No. 2], is **DENIED**, as moot.
3. Plaintiff Luthera Ann Smith's Emergency Plea, [Docket No. 5], is **DENIED** as moot.
4. Judgment is entered accordingly.

DATED: November 16, 2015
At Minneapolis, Minnesota

s/Michael J. Davis
Michael J. Davis
United States District Court